

NOTE FOR ADMIRAL TURNER

8 MAR 1977

Executive Registry
77-649

FROM: Admiral Daniel J. Murphy, USN
Deputy to the DCI for the Intelligence
Community

SUBJECT: Classification of the "Fact of"

Attached is a short paper reviewing the pros and cons of declassifying the "fact of" U. S. satellite reconnaissance. This particular subject has been discussed extensively in two recent papers. Ed Proctor chaired a Community group which reviewed the classification system. This group recommended that the "fact of" satellite reconnaissance be reduced from SECRET to CONFIDENTIAL. This recommendation was sent to the President by the DCI. An Under Secretary's Committee on U. S. National Space Policy had a split decision on this issue, with State and the civil agencies recommending declassification, and Defense and Intelligence organizations recommending continued classification.

/s/ Daniel J. Murphy
Daniel J. Murphy

Attachment:

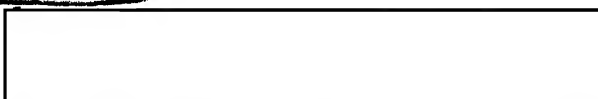
As stated



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Classification of "Fact Of" Satellite Reconnaissance

In November 1973 the President approved lowering the "fact Of" photographic satellite reconnaissance programs to SECRET. This requires that information derived from and attributed to the program must be classified SECRET or higher rather than on its own merit.

Arguments in Favor of Declassification of "Fact of"

- Fundamental inconsistency between the SECRET classification of the fact and the classification criteria and spirit of Executive Order 11652--product would be classified in accordance with the sensitivity of the information involved.
- Fact that the US conducts photographic reconnaissance is public knowledge both at home and abroad--would remedy the situation of having something classified that is so well known.
- Photographs could be released to the public, which would result in favorable public reaction to accomplishments of intelligence and help build support for US defense programs.
- Reduction in the classification of satellite reconnaissance and its product would permit broader intelligence support to operating levels of our combat forces.
- Declassification of fact of could permit satellite intelligence photography to be used openly in foreign aid plans and programs.

Arguments Against Declassification of "Fact Of"

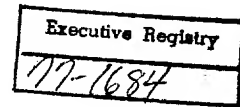
- Official public acknowledgement of fact of satellite intelligence collection would no longer permit foreign governments to ignore issue of US violation of territorial rights, and could provoke diplomatic protests. Classification at minimal level (i. e., CONFIDENTIAL) would obviate this.

CLASSIFIED BY	72422
EXEMPT FROM GENERAL DECLASSIFICATION	
SCHEDULE OF E. O. 11652, EXEMPTION CATEGORY:	
§ 55(1), (2), (3) or (4) (circle one or more)	
AUTOMATICALLY DECLASSIFIED ON	
Date Impossible to Determine	
(unless impossible, insert date or event)	

- Could cause some foreign countries to refuse to permit US satellite ground stations in their territories.
- Could generate pressures for a restrictive international legal regime governing remote sensing; unacceptable to US.
- Could provoke the Soviets to take actions against our reconnaissance satellites, varying from passive concealment and deception to direct attacks against the satellites themselves. This would jeopardize our ability to monitor present and future arms control agreements.
- Purpose of keeping the fact classified is to restrain public discussion of a vital and sensitive intelligence program and to avoid the need for official recognition of such a program which might lead to a succession of further inquiries and disclosures.
- Changes in classification would increase the likelihood of divulging to the Soviets the capabilities of those satellite systems which provide arms control verification information.
- Any reduction in the classification would be irreversible and cause a decrease in the effectiveness of the security afforded the still classified aspects of our satellite reconnaissance.
- The evolving state of Soviet-US relations argues against introducing any unnecessary complications at this time.

SECRET

27 June 1977



NOTE FOR COMMANDER McMAHON

Attached are two papers prepared by Ed Proctor following his review of classification and control. The DCI asked to see the Proctor papers. Although he has decided to establish a follow-on group, these papers may still be useful as background.

**Richard J. Kerr
EO/ICS**

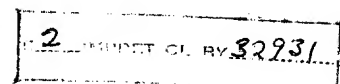
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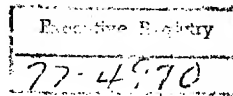
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(EXECUTIVE REGISTRY FILE 8-28)

SECRET





Washington, D. C. 20505

27 June 1977

NOTE FOR: Acting D/DCI/IC

John:

At last week's NFIB meeting during discussions of compartmentation and classification, the talk led to the need to move on the development of ways to separate sources and methods from the text of analytical products. I offered to designate a senior officer to pick up where Ed Proctor left off. Sayre Stevens, the DDI, has agreed to take this on if directed. His back-up would be Doug Mulholland.

Hanne
E. H. Knoche

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